Page 273, after line 24, insert the following:

SEC. 3409. PATRIOT EMPLOYER TAX CREDIT.

(a) In General.—Subpart D of part IV of subchapter A of chapter 1 is amended by adding at the end the following new section:

"SEC. 45S. PATRIOT EMPLOYER TAX CREDIT.

“(a) Determination of Amount.—

“(1) In General.—For purposes of section 38, the Patriot employer credit determined under this section with respect to any taxpayer who is a Patriot employer for any taxable year shall be equal to 10 percent of the qualified wages paid or incurred by the Patriot employer.

“(2) Limitation.—The amount of qualified wages which may be taken into account under paragraph (1) with respect to any employee for any taxable year shall not exceed $15,000.

“(b) PATRIOT EMPLOYER.—
“(1) IN GENERAL.—For purposes of subsection (a), the term ‘Patriot employer’ means, with respect to any taxable year, any taxpayer—

“(A) which—

“(i) maintains its headquarters in the United States if the taxpayer (or any predecessor) has ever been headquartered in the United States, and

“(ii) is not (and no predecessor of which is) an expatriated entity (as defined in section 7874(a)(2)) for the taxable year or any preceding taxable year ending after March 4, 2003,

“(B) with respect to which no assessable payment has been imposed under section 4980H with respect to any month occurring during the taxable year,

“(C) provides employees with—

“(i) paid sick leave, or

“(ii) paid family and medical leave,

and

“(D) in the case of—

“(i) a taxpayer which employs an average of more than 50 employees on business days during the taxable year, which—
“(I) provides compensation for at least 90 percent of its employees for services provided by such employees during the taxable year at an hourly rate (or equivalent thereof) not less than an amount equal to 218 percent of the Federal poverty level for an individual for the calendar year in which the taxable year begins divided by 1,750,

“(II) meets the retirement plan requirements of subsection (c) with respect to at least 90 percent of its employees providing services during the taxable year who are not highly compensated employees, and

“(III) meets the additional requirements of subparagraphs (A) and (B) of paragraph (2), or

“(ii) any other taxpayer, which meets the requirements of either subclause (I) or (II) of clause (i) for the taxable year.

“(2) ADDITIONAL REQUIREMENTS FOR LARGE EMPLOYERS.—
“(A) UNITED STATES EMPLOYMENT.—The requirements of this subparagraph are met for any taxable year if—

“(i) in any case in which the taxpayer increases the number of employees performing substantially all of their services for the taxable year outside the United States, the taxpayer either—

“(I) increases the number of employees performing substantially all of their services inside the United States by an amount not less than the increase in such number for employees outside the United States, or

“(II) has a percentage increase in such employees inside the United States which is not less than the percentage increase in such employees outside the United States,

“(ii) in any case in which the taxpayer decreases the number of employees performing substantially all of their services for the taxable year inside the United States, the taxpayer either—
“(I) decreases the number of employees performing substantially all of their services outside the United States by an amount not less than the decrease in such number for employees inside the United States, or

“(II) has a percentage decrease in employees outside the United States which is not less than the percentage decrease in such employees inside the United States, and

“(iii) there is not a decrease in the number of employees performing substantially all of their services for the taxable year inside the United States by reason of the taxpayer contracting out such services to persons who are not employees of the taxpayer.

“(B) TREATMENT OF INDIVIDUALS IN THE UNIFORMED SERVICES AND THE DISABLED.—The requirements of this subparagraph are met for any taxable year if—

“(i) the taxpayer provides differential wage payments (as defined in section 3401(h)(2)) to each employee described in
section 3401(h)(2)(A) for any period during the taxable year in an amount not less than the difference between the wages which would have been received from the employer during such period and the amount of pay and allowances which the employee receives for service in the uniformed services during such period, and

“(ii) the taxpayer has in place at all times during the taxable year a written policy for the recruitment of employees who have served in the uniformed services or who are disabled.

“(3) Special rules for applying the minimum wage and retirement plan requirements.—

“(A) Minimum wage.—In determining whether the minimum wage requirements of paragraph (1)(D)(i)(I) are met with respect to 90 percent of a taxpayer’s employees for any taxable year—

“(i) a taxpayer may elect to exclude from such determination apprentices or learners that an employer may exclude under the regulations under section 14(a)
of the Fair Labor Standards Act of 1938, and

“(ii) if a taxpayer meets the requirements of paragraph (2)(B)(i) with respect to providing differential wage payments to any employee for any period (without regard to whether such requirements apply to the taxpayer), the hourly rate (or equivalent thereof) for such payments shall be determined on the basis of the wages which would have been paid by the employer during such period if the employee had not been providing service in the uniformed services.

“(B) RETIREMENT PLAN.—In determining whether the retirement plan requirements of paragraph (1)(D)(i)(II) are met with respect to 90 percent of a taxpayer’s employees for any taxable year, a taxpayer may elect to exclude from such determination—

“(i) employees not meeting the age or service requirements under section 410(a)(1) (or such lower age or service requirements as the employer provides), and
“(ii) employees described in section 410(b)(3).

“(c) RETIREMENT PLAN REQUIREMENTS.—

“(1) IN GENERAL.—The requirements of this subsection are met for any taxable year with respect to an employee of the taxpayer who is not a highly compensated employee if the employee is eligible to participate in 1 or more applicable eligible retirement plans maintained by the employer for a plan year ending with or within the taxable year.

“(2) APPLICABLE ELIGIBLE RETIREMENT PLAN.—For purposes of this subsection, the term ‘applicable eligible retirement plan’ means an eligible retirement plan which, with respect to the plan year described in paragraph (1), is either—

“(A) a defined contribution plan which—

“(i) requires the employer to make nonelective contributions of at least 5 percent of the compensation of the employee, or

“(ii) both—

“(I) includes an eligible automatic contribution arrangement (as defined in section 414(w)(3)) under which the uniform percentage de-
scribed in section 414(w)(3)(B) is at
least 5 percent, and

“(II) requires the employer to
make matching contributions of 100
percent of the elective deferrals (as
defined in section 414(u)(2)(C)) of
the employee to the extent such deferrals do not exceed the percentage
specified by the plan (not less than 5
percent) of the employee’s compensa-
tion, or

“(B) a defined benefit plan—

“(i) with respect to which the accrued
benefit of the employee derived from em-
ployer contributions, when expressed as an
annual retirement benefit, is not less than
the product of—

“(I) the lesser of 2 percent multi-
plied by the employee’s years of serv-
ice (determined under the rules of
paragraphs (4), (5), and (6) of section
411(a)) with the employer or 20 per-
cent, multiplied by

“(II) the employee’s final average
pay, or
“(ii) which is an applicable defined benefit plan (as defined in section 411(a)(13)(B))—

“(I) which meets the interest credit requirements of section 411(b)(5)(B)(i) with respect to the plan year, and

“(II) under which the employee receives a pay credit for the plan year which is not less than 5 percent of compensation.

“(3) DEFINITIONS AND SPECIAL RULES.—For purposes of this subsection—

“(A) ELIGIBLE RETIREMENT PLAN.—The term ‘eligible retirement plan’ has the meaning given such term by section 402(c)(8)(B), except that in the case of an account or annuity described in clause (i) or (ii) thereof, such term shall only include an account or annuity which is a simplified employee pension (as defined in section 408(k)).

“(B) FINAL AVERAGE PAY.—For purposes of paragraph (2)(B)(i)(II), final average pay shall be determined using the period of consecutive years (not exceeding 5) during which the
employee had the greatest compensation from
the taxpayer.

“(C) ALTERNATIVE PLAN DESIGNS.—The
Secretary may prescribe regulations for a tax-
payer to meet the requirements of this sub-
section through a combination of defined con-
tribution plans or defined benefit plans de-
scribed in paragraph (1) or through a combina-
tion of both such types of plans.

“(D) PLANS MUST MEET REQUIREMENTS
WITHOUT TAKING INTO ACCOUNT SOCIAL SECU-
RITY AND SIMILAR CONTRIBUTIONS AND BENEFITS.—A rule similar to the rule of section
416(e) shall apply.

“(d) QUALIFIED WAGES AND COMPENSATION.—For
purposes of this section—

“(1) IN GENERAL.—The term ‘qualified wages’
means wages (as defined in section 51(e), deter-
mined without regard to paragraph (4) thereof) paid
or incurred by the Patriot employer during the tax-
able year to employees—

“(A) who perform substantially all of their
services for such Patriot employer inside the
United States, and

“(B) with respect to whom—
“(i) in the case of a Patriot employer which employs an average of more than 50 employees on business days during the taxable year, the requirements of subclauses (I) and (II) of subsection (b)(1)(D)(i) are met, and

“(ii) in the case of any other Patriot employer, the requirements of either subclause (I) or (II) of subsection (b)(1)(D)(i) are met.

“(2) SPECIAL RULES FOR AGRICULTURAL LABOR AND RAILWAY LABOR.—Rules similar to the rules of section 51(h) shall apply.

“(3) COMPENSATION.—For purposes of subsections (b)(1)(D)(i)(I) and (c), the term ‘compensation’ has the same meaning as qualified wages, except that section 51(c)(2) shall be disregarded in determining the amount of such wages.

“(e) AGGREGATION RULES.—For purposes of this section—

“(1) IN GENERAL.—All persons treated as a single employer under subsection (a) or (b) of section 52 shall be treated as a single taxpayer.
“(2) SPECIAL RULES FOR CERTAIN REQUIREMENTS.—For purposes of applying paragraphs (1)(A) and (2)(A) of subsection (b)—

“(A) the determination under subsections (a) and (b) of section 52 for purposes of paragraph (1) shall be made without regard to section 1563(b)(2)(C) (relating to exclusion of foreign corporations), and

“(B) if any person treated as a single taxpayer under this subsection (after application of subparagraph (A)), or any predecessor of such person, was an expatriated entity (as defined in section 7874(a)(2)) for any taxable year ending after March 4, 2003, then all persons treated as a single taxpayer with such person shall be treated as expatriated entities.

“(f) ELECTION TO HAVE CREDIT NOT APPLY.—

“(1) IN GENERAL.—A taxpayer may elect to have this section not apply for any taxable year.

“(2) TIME FOR MAKING ELECTION.—An election under paragraph (1) for any taxable year may be made (or revoked) at any time before the expiration of the 3-year period beginning on the last date prescribed by law for filing the return for such taxable year (determined without regard to extensions).
“(3) MANNER OF MAKING ELECTION.—An election under paragraph (1) (or revocation thereof) shall be made in such manner as the Secretary may by regulations prescribe.”.

(b) ALLOWANCE AS GENERAL BUSINESS CREDIT.—Section 38(b) is amended by striking “plus” at the end of paragraph (35), by striking the period at the end of paragraph (36) and inserting “, plus”, and by adding at the end the following:

“(37) in the case of a Patriot employer (as defined in section 45S(b)) for any taxable year, the Patriot employer credit determined under section 45S(a).”.

(e) DENIAL OF DOUBLE BENEFIT.—Subsection (a) of section 280C is amended by inserting “45S(a),” after “45P(a)”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.

Page 447, after line 3, insert the following:
TITLE VI—CORPORATE RATE INCREASE TO ACHIEVE REVENUE NEUTRALITY.

SEC. 6001. CORPORATE RATE INCREASE TO ACHIEVE REVENUE NEUTRALITY.

(a) In General.—The rate of tax specified in section 11(b)(1) of the Internal Revenue Code of 1986 (after the amendment made by section 3001(a)) shall be increased by such number of percentage points as is necessary to fully offset the aggregate reduction in Federal revenues which result from the amendments made by section 3409.

(b) Effective Date.—Subsection (a) shall apply as if such provision were an amendment made by section 3001(a).